

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN OF FAIRFIELD
FEBRUARY 28, 2011**

The Regular Monthly Meeting of the Town of Fairfield was held on Monday, February 28, 2011, at Osborn Hill Elementary School, Fairfield, Connecticut.

The meeting was called to order at 8:00 P.M. by Moderator Jeff Steele.

PRESENT: 38 ABSENT: 12 VACANCY: 0

PRESENT: Becker, Herley, Richmond, Sundman, Ambrose, A. Harrison, Steele, Stewart, Bateson, Conley, Ference, McCullough, Santalesa, Hug, Palmer, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Dyer, Marmion, Vahey, Hoffkins, Llewellyn, Lynch, Schwartz, Braun, McCarthy, Takami, Dillon, Felner, McGinty, Mirabile, Millington, Farnen, Mears

ABSENT: Challinor, Varian, DeMartino, R. Parker, S. Parker, Gall, Cullen, Hoffmann, Kelly, Cafferelli, Rubino, Way

ITEM NO. 1 ON CALL: PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE

The Moderator introduced Town Employee of the Year, Asst. Director of Public Works Ed Boman, to lead the Body in the Pledge of Allegiance. He asked those present to keep the late former Selectman and State Representative Carl J. Dickman in their thoughts during the Moment of Silence.

ITEM NO. 2 ON CALL: TO CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR MEETING HELD ON JANUARY 24, 2011

Upon motion made, duly seconded and carried unanimously, the minutes of the previous meeting were approved as corrected: Page 3, Paragraph 9, add the words, "an amendment to the," before the word, "ordinance."

ITEM NO. 3 ON CALL: RESOLVED, THAT A TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO THE FAIRFIELD WARDE HIGH SCHOOL ROOF ACCOUNT IN THE AMOUNT OF \$35,000 BE, AND HEREBY IS, MADE FOR EXPENSES RELATED TO CONSULTANT TESTS, STUDIES AND ANALYSIS OF THE CONDITION OF THE ROOF

The Moderator moved this item as distributed with the Call, duly seconded.

**See Committee Reports Attached Hereto

Edward Bateson, District 3, spoke of his concern over spending from the Contingency Account. He asked where we stand in plowing costs.

Fiscal Officer Paul Hiller said that there is a deficit in the plowing account but that there is surplus in other DPW accounts. Furthermore, the governor has requested FEMA funds but it is unknown at this time whether we shall receive any such funding.

Mr. Bateson said he read that the \$240,000 grant for repairs to the Tide Mill Bridge has been lost. He asked if this should be taken into consideration if contingency funds are used.

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Mr. Hiller said that the State Bonding Commission has approved \$212,000 for the Tide Mill Bridge so the request is being withdrawn by Public Works and will not factor into use of contingency funds.

First Selectman Ken Flatto said that snow costs are over \$400,000. We are trying to make up the deficit using other line items, not filling vacant positions and by the possibility of the FEMA grant. We are going to try to not use the Contingency Account for snow removal costs.

Mr. Bateson asked if there is any anticipation that there will be some flow-over into Contingency funds.

Mr. Flatto said that we are keeping costs at a reasonable amount and our hope is to wait it out until Spring.

Mr. Bateson asked if it is safe to assume that the contingency account will be zeroed out.

Mr. Hiller said that he is confident we have enough other unused funds in the Public Works budget and other accounts that can be transferred into the snow budget.

Sheila Marmion, District 6, said that there is a need for more transparency. She said we need to have the breakdown of the request. She asked that the Body receives such a breakdown moving forward.

Town Facilities Commission Chairman Al Kelly urged support of the resolution. He said a breakdown was made available to the Body through the Moderator.

TFC Vice-Chairman Jim Gallagher said that the TFC is made up of experts. The members are very knowledgeable in their fields and spend a great deal of time looking at the projects in order to move them forward expeditiously and in a fiscally responsible manner.

VOTE: The resolution to transfer \$35,000 from the Contingency Account for expenses related to the repair of the Fairfield Warde roof was approved with 36 in favor, 2 opposed (Hug, Braun).

ITEM NO. 4 ON CALL: RESOLVED, THAT A TRANSFER OF FUNDS FROM THE CONTINGENCY ACCOUNT TO THE FAIRFIELD LUDLOWE HIGH SCHOOL WINDOW ACCOUNT IN THE AMOUNT OF \$40,000 BE, AND HEREBY IS, MADE FOR EXPENSES RELATED TO CONSULTANT TESTS, STUDIES AND ANALYSIS OF THE CONDITION OF THE WINDOWS

The Moderator moved this item as distributed with the Call, duly seconded.

**See Committee Reports Attached Hereto

David Becker, District 1, asked about maintenance items being bonded and asked if window replacement should be bonded.

First Selectman Flatto said that the intent was to have the TFC determine the useful life of the windows and if a 5-year repair was determined to be necessary, they would not be bonded, but if replacement was necessary they would be made part of a bonding package.

Mr. Becker asked if there is a policy in place that determines whether an item is bonded or not. He said that this does not seem to be the type of thing that should be bonded.

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First Selectman Flatto said that it is not uncommon that repairs that are done to a building be made part of the building project, but there is no “line in the sand” policy.

Board of Finance member Mike Tetreau said that the Board is currently looking at a policy for bonding. They do not want to bond anything past its useful life.

Peter Ambrose, District 2, asked if there is an estimate as to the cost of the windows.

TFC Chair Al Kelly said that there is a possibility the caulking on the windows contain PCBs and if that is the case, the recent abatement for two windows at Stratfield School was \$15,000.

Mr. Ambrose asked said that there are 914 windows at Ludlowe and \$3,282 per window is a huge amount of money.

Mr. Kelly said that the TFC will receive quotes and supply costs.

Kathy Braun, District 8, asked how the funding request was arrived at for the architect.

Mr. Kelly said that the TFC estimated the hours necessary to assess the work, including documentation, drawings and specifications, and that is the going rate.

Art Hug, District 4, said that in reviewing the maintenance budget for last year, he found a line item for critical repair and replacement of windows at Ludlowe for \$70,000.

Board of Education Vice-Chairman Pam Iacono said that those repairs were for Ludlowe Middle School.

Mr. Hug asked if those replacement windows were under warranty since the building is new.

BOE Director of Operations Tom Cullen explained that there was a problem with the building envelope.

Mr. Hug said that the budget states the request was for windows. He said that the numbers do not make sense and that the process appears flawed. He said more transparency is required for these requests.

Tom McCarthy, District 8, said that the building committee is made up of volunteers and that they are all professionals. He appreciates the work that they do, but we need to understand how the numbers were derived.

Mr. Kelly said that we are hoping to save money but they are concerned with the abatement portion. He urged support of the resolution.

Linda Crowley urged approval.

BOE member Tim Kery said that there is cold air coming in on the students. This is as much an educational issue as it is a building preservation issue.

Bill Llewellyn, District 7, said that if the windows are leaky, the teachers can pick up a caulking gun for \$7 at a hardware store.

VOTE: The resolution to transfer \$40,000 from the Contingency Account for expenses related to the Fairfield Ludlowe windows was approved with 28 in favor, 10 opposed.

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IN FAVOR: Becker, Richmond, Steele, Stewart, Bateson, Conley, Ference, McCullough, Santalesa, Palmer, Garskof, McAleese, Smey, Stamler, Brogan, DeSanctis, Dyer, Marmion, Vahey, Hoffkins, Llewellyn, Lynch, Schwartz, McCarthy, Takami, Felner, Millington, Farnen

OPPOSED: Herley, Sundman, Ambrose, A. Harrison, Hug, Braun, Dillon, McGinty, Mirabile, Mears

ITEM NO. 5 ON CALL: RESOLVED, THAT THE BOND APPROPRIATION ENTITLED, "A RESOLUTION APPROPRIATING \$2,200,000 FOR THE COSTS ASSOCIATED WITH RENOVATIONS AND EXPANSION OF SHERMAN ELEMENTARY SCHOOL AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION," CONSISTING OF THREE PAGES, A COPY OF WHICH IS ATTACHED HERETO, BE, AND HEREBY IS, APPROVED

The Moderator moved this item as distributed with the Call, duly seconded.

**See Committee Reports Attached Hereto

Jamie Millington, District 9, said that initially there was a list of wants and needs that was sold to the RTM as a project costing \$1.9 million. The actual cost of that list was determined to be \$4.5 million. The numbers were grossly underestimated and he does not feel we can ever trust good-faith early estimates again. Someone needs to be held accountable. The next project on the list is Riverfield and this cannot happen again. It undermines the projects. There has been a process in place for years and this was a gross misrepresentation of the actual cost. Since the FEMA regulations cap the amount that can be spent we have arrived at the figure in the request. He wondered what happens if there are over-runs. He has strong concerns about the health and the safety of the children so he will support this item tonight, but someone must be held accountable for the incorrect projections.

Kathy Braun, District 8, asked where the estimate came from.

TFC Chair Al Kelly said that professional estimates were not used.

MOTION: Ms. Braun moved to reduce the bond request by \$211,000, which represents the cost of expanding the lunch line, duly seconded.

Mary McCullough, District 3, said that she cannot support the motion. She urged the Body to go to the school during lunch time to see how long the kids have to stand in line. This is a health issue.

Ed Bateson, District 3, said that although he is "cheap," he cannot support this motion. Standing in line for 15 minutes is unacceptable. The kids should be sitting and eating during their lunch break.

Cristin Vahey, District 6, urged the Body to vote this motion down, since this is a health issue.

MOTION: Alexis Harrison, District 2, moved the question, duly seconded.

The Moderator called the motion out of order.

Selectman Jim Walsh asked that the Body turn down this motion because this is a question of health. There is nothing more healthy than a child sitting eating lunch in the middle of the school day.

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Speaking against the motion to reduce the bond request were John Convertito; Laurie Quick; Eileen Roxbee; Kristin Dayton; Michele Leddy; Linda Crowley; Mary McCormack; Dorene Herron; and TFC Chairman Al Kelly.

VOTE: The motion to reduce the bond request by \$211,000 failed with 1 in favor (Braun), 37 opposed.

Faith Dillon, District 9, said that she has an issue with not asking for reimbursement from the State. We are due \$400,000 on this project.

Josh Garskof, District 5, asked why we are not seeking reimbursement.

Mr. Kelly explained that in order to pursue reimbursement from the State, the scope of the project would greatly increase. We would be paying more to do less. The State requires the installation of sprinklers, fire alarms, emergency lighting, etc. The FEMA cap is guiding us in this project.

Chris Brogan, District 6, asked how we would pay for any damages caused by a flood.

First Selectman Flatto said that we would have to tear down the school or build a dike. It is unlikely that there would be a flood of that magnitude.

Bill Llewellyn, District 7, asked who came up with the \$1.9 million estimate.

Mr. Kelly said that the Board of Education did not bring in a professional estimator but they will from now on.

Director of Operations Tom Cullen said that the estimate came from his office using figures almost two years old. He did not figure in administrative changes.

Mary McCullough, District 3, asked if there has ever been a school building project for which we did not seek reimbursement, to which First Selectman Flatto replied probably not.

Ann Stamler, District 5, said that the process could have been cleaner. The original list called for \$20,000 for ADA upgrades.

Mr. Kelly said that the new doors would be widened and the nurses room will be ADA-compliant, but bathrooms are not included in this project.

Ms. Vahey asked if the original list was from the long-range facility plan.

Mr. Cullen replied no; the request is based on the needs of Sherman School from the annex project.

Ms. Vahey said that there is frustration in the process and that the process should be looked at in the future.

Carolyn Richmond, District 10, noted that the scope of the project has been changed.

Speaking in favor of the resolution were BOE Vice Chairman Pam Iacono; Meredith McCormack; Superintendent of Schools David Title; Sherman School Principal Eileen Roxbee; Dorene Herron; Kenneth Lee; TFC Vice-Chairman Jim Gallagher; Linda Crowley.

VOTE: The resolution to appropriate \$2,200,000 for renovations to Sherman Elementary School was approved with 36 in favor, 2 opposed (Hug, Dillon).

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ITEM NO. 6 ON CALL: REFERRAL OF AMENDMENTS TO RECYCLING AND SOLID WASTE ORDINANCE TO L&A

The Moderator reported that the Recycling ordinance amendments will appear on the Call of the next regularly scheduled meeting for discussion.

ITEM NO. 7 ON CALL: REFERRAL OF AMENDMENTS TO BLIGHT PREVENTION ORDINANCE TO L&A

This item was withdrawn by the sponsors.

MOTION: Jamie Millington, District 9, moved to form a Blight Prevention Ordinance Review Committee in accordance with Rule 12 of the Rules to Regulate, duly seconded and carried with 36 in favor, 1 opposed (Dyer) and 1 abstention (Schwartz).

ADJOURNMENT

There being no further business and upon motion made, duly seconded and carried unanimously, the meeting was adjourned at 10:30 P.M.

Respectfully submitted,

Elizabeth P. Browne
Town Clerk

Recorded by: Ann Roche